



State of Utah

Department of
Natural Resources

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Division of
Oil, Gas & Mining

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Lieutenant Governor

April 21, 2004

John Hewitt
Interstate Brick Company
9780 South 5200 West
West Jordan, Utah 84088

Subject: Acceptance of Amended Notice of Intention, Interstate Brick Company,
Fivemile Pass Mine, M/045/006, Tooele County, Utah

Dear Mr. Hewitt:

On January 1, 2003, we received Interstate Brick's amendment to address the potential noncompliance the Division issued in November of 2002 for mining beyond the permitted and approved area. On January 10, 2003, that potential noncompliance was abated because Interstate provided the Division with the updated mine plan which was required in order to mitigate the noncompliance issues. The acreage was determined to be 25.66 acres, down from the originally permitted 47.68 acres approved in 1998. The 25.66 acre area is now totally located on private "fee" land.

On February 4, 2003, we received documentation from the Bureau of Land Management that portions of the site was satisfactorily reclaimed and those areas could be released. After the Division reviewed the updated plan, on November, 19, 2003, the surety for this site was recalculated and escalated to year 2008. It was determined the surety on the remaining 25.66 disturbed acres would be \$122,200. Because Interstate Brick already has a \$123,100 reclamation surety in place, no adjustment to the surety bond was required.

After finalizing our review of your plan, the Division issued "conditional approval" of the amended/revised mine plan on March 4, 2004. Before final approval could be granted, two clean copies of the updated plan were required. Those copies were received on April 20, 2004. The Division stamped the final updated amended/revised plan "approved" on that date and one copy was returned to you at that same time.

The Division hereby grants final approval of the amended/revised mining and reclamation plan for the Fivemile Pass Mine. You may continue

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operations as outlined in the mining and reclamation plan on the 25.66 acre area, which boundaries have been staked. If you wish to expand beyond the 25.66 acre area, you must first notify this Division and any other appropriate agency and receive written approval prior to creating any disturbance.

Thank you for your diligence in keeping the Division informed of your mining operation. It is a pleasure working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Munson", with a long horizontal flourish extending to the right.

Tom Munson
Senior Reclamation Hydrologist

TM:jb
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